

## HEARING MAY SAVE BRAZIE FROM DEATH

Case of 62-Year-Old Man to Be Aired Before Governor To-morrow.

## HIS GUILT IS DOUBTED

Mysterious Autopsy of Woman's Body Basis of Appeal.

## ATTORNEY WORKS FAST

Sentence Due to Be Carried Out Thursday Night—Communtation to Be Sought.

The possibility that George Brazie, sixty-two-year-old death house prisoner, may not go to the electric chair Thursday night and that his case will receive a thorough airing as a result of a hearing to take place before Gov. Miller to-morrow was made known last night at Sing Sing prison. Brazie made the sensational statement in his cell yesterday that since his conviction for the murder of his common law wife, who was found slain on their place near Oneonta, the authorities of Otsego county, where the trial was held, have had the woman's body exhumed and to determine whether the statements of witnesses who sent him to the death house were wholly correct.

It is Brazie's contention that, though he was tried and found guilty and the Court of Appeals unanimously affirmed the conviction, the Otsego county officials are not sure he is the man who did the shooting.

James Byard of Cooperstown, who became one of Brazie's attorneys after his conviction, said that he got the Governor to order the District Attorney of Otsego to reveal to the defense attorneys the result of a mysterious autopsy, which, he alleged, disproved the testimony of the principal witness for the prosecution.

### Prosecutor Makes Denial.

"The autopsy was performed about thirty days after Brazie went to the death house," said Mr. Byard. "The defendant's counsel were not notified, but we got an order from Gov. Miller compelling the District Attorney to tell us the result. The District Attorney told us, verbally, that the autopsy showed but one bullet in the body. The State's witness, Guy Hughes, testified that Brazie shot her twice. The inference is that this is not true."

District Attorney Adrian Pierson, who had charge of the prosecution of Brazie, was asked about the autopsy and the statements of Mr. Byard last night. He charged that the move to bring the case to the Governor's attention on allegations that the prosecuting officers were not certain of the facts is merely a subterfuge and a play for time. When asked whether it is true that only one bullet was fired into the woman's body, Mr. Pierson said:

"It's no such thing. Two bullets were fired into the body."

Mr. Pierson was asked about the statement that the county authorities had an autopsy performed a month after the trial was over. He evaded the question, and when asked again about the charge made by Mr. Byard, he replied:

"I don't care to talk. If you'll come up to Albany at the hearing Wednesday you'll get the whole thing. You evidently don't know this crowd up here like we do."

### Chaplain Doubts Guilt.

Mr. Byard will plead for a commutation of the death sentence when he goes before the Governor to-morrow, and he said that he would make some startling disclosures. He said he did not hear of the reported exhuming of the body until very recently.

"I got on to it through a leak," he added.

Since Brazie was put in the death house he has never ceased protesting his innocence. He has stated that he had a row with a man on his farm and that during the altercation the man picked up a revolver and shot at him and the woman. Brazie recovered in a hospital and he claims that while he was under treatment a farm hand sought to fasten the guilt of the woman's murder on him.

It was remembered yesterday that the Rev. Dr. A. N. Petersen, Protestant chaplain of the prison, always has doubted Brazie's guilt and frequently has predicted that something would come out eventually in his favor.

### FOG HALTS S-48 SALVAGE.

BRIDGEPORT, Conn., Dec. 12.—A heavy mist which hung over Long Island Sound to-day prevented any attempts at salvage of the sunken submarine S-48. A diver will be sent down to-morrow to close the sea valves which lead into the rear ballast tanks from the exterior of the hull.

### HARDING RECEIVES MACNIDER.

WASHINGTON, Dec. 12.—Hanford MacNider, commander of the American Legion, and a party of legion officials were received to-day by President Harding. There was no talk of the legion's bonus or other legislative matters, it was said.

## DUNNE, SUBMARINE HERO, TO DIVE INTO MATRIMONY

Rescuer Returns to Work at Lake Company's Plant to Prepare for Nuptials Next Month—He Is Also a Boxer.

Special Despatch to THE NEW YORK HERALD. BRIDGEPORT, Conn., Dec. 12.—Peter F. Dunne, who crawled through the torpedoes and made possible the rescue of the other men who were penned in the control room of the boat, went back to work to-day at the plant of the Lake Submarine Boat Company. He says he has no intention of abandoning work on submarines because of his experience last Wednesday.

"If there was ever a time I was to get killed on a sub," said Dunne, "that was it, but I got through all right. I guess it just isn't written that I am to die on a submarine."

Dunne told his story of the accident, which corresponded closely with others that have already been told and printed in THE NEW YORK HERALD. But he

## ONE SAILOR IS DEAD, 90 DRY AGENTS RAID NOT TEN, FROM RUM BROADWAY RESORTS

Only a Few Cases of Illness, Is Report at Naval Hospital in Brooklyn.

Commander Louis H. Wheeler, executive officer of the naval hospital in Brooklyn, denied flatly last night that there was any truth in the rumors that more than ten men have died and that 145 more, all from the receiving ship Pueblo, are in the naval hospital suffering from the effects of bad booze sold to the men by bootleggers. According to the latest information obtained by officials of the New York yard, these bootleggers are operating in the San Juan Hill district in Manhattan and not in the vicinity of the navy yard, as at first reported.

Commander Wheeler said that the truth of the recent epidemic of alcoholism among sailors was this: There have been eleven cases of alcoholism in the Naval Hospital, reported within the last two or three weeks. One man has died. There is no truth in the report that more than ten are in the hospital. The hospital authorities do not consider conditions much worse than they were a year ago. During 1920 the hospital treated nineteen cases of alcoholism. So far this year there have been twenty-two cases. None of the men now being treated is in a serious condition, and there have been no new cases within forty-eight hours.

The report that large numbers have died and that many more are desperately ill has gained wide circulation during the last few days. Twenty or more sailors along Sands and Washington streets, in Brooklyn, were questioned last night by reporters for THE NEW YORK HERALD. All of them said that they had heard the reports, although some had heard that six were dead, others that seven were dead and a few that ten were dead, and all had heard that large numbers were ill. None, however, was able to give the name of a man who had died or the name of a man who had been made ill. They merely said that they had heard the reports, but that they had no personal knowledge of the matter. Similar statements were made by sailors in other parts of Brooklyn and in Manhattan.

A policeman whose beat is in the vicinity of the Navy Yard said he had heard the reports, and one of the officials of the New York M. C. A. in Sands street said it had reached there, too. The policeman said that sailors to whom he had talked said that they had bought the whiskey from negroes on the West Side in Manhattan. This was also told by sailors at the Y. M. C. A.

### MEYER INVESTIGATORS UNDECIDED ON FUNDS

Chairman Denies He Plans to Ask for \$100,000.

Senator Schuyler M. Meyer, chairman of the Meyer Legislative Committee, denied yesterday that the committee had decided to ask the next Legislature for an extension of its official life or that a new appropriation of \$100,000 to pay the fees of Elton R. Brown, Leonard M. Wallstein and Samuel A. Berger would be sought.

"It has not been determined," Senator Meyer told THE NEW YORK HERALD, "whether the committee shall ask for an extension. That will depend on how we progress with our investigation of the Dock Department, perhaps the most important work we have undertaken. As far as an appropriation for counsel fees is concerned, the committee does not know what the fees will be, and I cannot discuss the subject at this time. Counsel to the committee will submit a bill for their work at the proper time. Then the amount to be paid will be a matter for the Legislature to determine."

The original allowance of \$100,000, most of which has been exhausted by the committee, did not include provision for counsel fees.

### O'TOOLE GOING TO PARAGUAY.

WASHINGTON, Dec. 12.—William J. O'Toole of Gary, W. Va., will be appointed Minister to Paraguay, President Harding to-day told White House callers.

Mr. O'Toole, who is 28, will be, perhaps, the youngest man ever appointed to a Ministerial post in the diplomatic service. His appointment has been urged by Senator Elkins, Republican, West Virginia.

## FOR U. S. INSPECTION OF LABOR ACCOUNTS

L. F. Loree Would Have Federal Supervision Over Unions Like Public Utilities.

### REVIEWS RAIL HISTORY

Work of Board Assailed in Address at Annual Dinner of Downtown League.

A Federal commission that would inspect the accounts of the labor unions just as the Interstate Commerce Commission supervises the accounts of the public utilities, was urged by L. F. Loree, president of the Delaware and Hudson Railroad, last night, in an address at the first annual dinner of the Downtown League at the Hotel Astor. Mr. Loree talked on the railroad situation and labor. He reviewed the rail situation, taking his own road as an example of conditions, and covering the period from just after the civil war to the present day.

Dwelling on the taking over of rail operation by Director-General McAdoo in January, 1919, and the recent actions of the railway labor board, Mr. Loree said:

"The findings of the committee, of which the Secretary of the Interior was chairman, seemed to be based on some altruistic hypothesis having no relation to the long economic history of the industry and, while making substantial advances in wages, disturbed the relations of the various divisions of the service which had tended toward stabilization over a long period of years, and this has been the cause of much heartburning and profound discontent, the ultimate status of which is still problematical."

Continuing, he said that the action of the brotherhoods in threatening a strike in October "seems to have scared the labor board into a blue funk—the same sort of funk that produced the Adamson act."

"Doubtless they will try it again," he went on. "If the controversy is skillfully prolonged so as to become acute about the time of the expiration of the United Mine Workers' agreement in April next, we may look forward to some very anxious and unhappy hours."

"When one has summed up all the improvements made by the Labor Board the total is almost negligible; the carrier is still hopelessly enmeshed in red tape, restrained from measures which might make for efficiency and economy; required to accept arbitrary, immaterial and uneconomical classifications; to pay twice for the same service; to employ two or more men where only one is needed."

"These rules are quite unsuitable to Americans and are subversive to morale all around, especially to that of the workers, whom they tend to corrupt into petty tyrants and dishonest slackers. They are creditable to the Government in that they imply a cowardly truckling to class interest. Organized labor is like a lot of wild animals, and they will sacrifice their employers and their most intimate friends without a qualm."

Jules S. Bach, reviewing the general business conditions with reference to the question of taxes, said the situation has narrowed down to a contest between the professional politician and the business man, and that the business world is aroused and demanding consideration in the levying of taxes.

The matter of loading freight at the terminals was taken up in an address by Arthur E. McKeever, president of the Ajax Trucking Company.

Through Elbridge F. Hills, counsel for the league, the members presented a gold watch to David Robinson, the president. The prize for the best building erected in the downtown section during the year was presented to the Lawyers Mortgage Company.

### YAP CABLE UNUSED SINCE 1914.

George Clapperton, general traffic manager of the Postal Telegraph and Cable Company, denied yesterday that the Guam-Yap cable had been sealed recently, as was announced in a despatch from San Francisco, based on a supposedly authorized statement by the San Francisco office of the company. The Guam-Yap cable, it was said, has been out of commission since 1914, when Yap was seized by the Japanese. The statement that it had been sealed by order of the company was "unauthorized."

Lieut. De Leon Evans and three policemen of the West Forty-seventh street station, who were held August 26 by Magistrate McQuade on charges of oppression following a raid on a garage at 223 West Fifty-second street, were tried and found not guilty yesterday by Justices McInerney, Salmon and Healy in Special Sessions.

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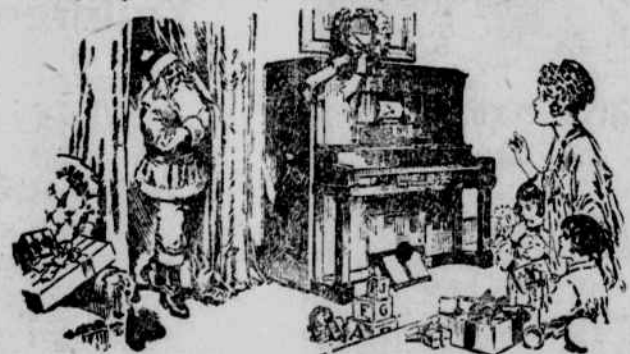
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